

AMENDMENT #1 TO AGREEMENT
FOR CONSULTATION AND OTHER SERVICES (DRAFT)

This Amendment is entered into this 15th day of November 2005, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Olivia Chen Consultants, (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional consulting for various Capital Improvement Projects, on November 16, 2004; and

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide additional professional engineering services necessary to provide consulting services for various Capital Improvement projects.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. Section 2, entitled "Compensation" shall be increased by \$9,206 from \$47,779 to \$56,985.
2. The Scope of Services for Air Emissions Subconsultant (Exhibit A-1) is hereby accepted by the city and consultant as an active part of the contract.
3. Exhibit B, entitled "Compensation Schedule, Personnel, and Rates", is amended by adding "Note 2: Amendment #1 increases the project budget by \$9,206 (from \$47,779 to \$56,985)".

4. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 4, entitled "Insurance Requirements" of the Agreement dated November 16, 2004, between Consultant and the City of Milpitas. The Consultant shall provide the City with renewal certificates of the current policies upon the expiration of the current policy.

5. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

CONSULTANT

City Engineer as to content

City Manager

City Attorney as to Form

ATTESTED BY:

City Clerk

Exhibit A-1

Gibraltar Pump Station Rehabilitation Study
City of Milpitas Contract No. 7101

Scope of Services for Air Emissions Subconsultant

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Subconsultant shall provide input on compliance guidelines to OCC to ensure that all proposed improvement alternatives for the Gibraltar Pump Station are permissible. To this end, Subconsultant shall complete the following tasks:

1. Visit pump station and visually inspect existing diesel engine exhaust systems.
2. Review the draft of OCC's *Gibraltar Pump Station Rehabilitation Study, Alternatives Analysis Report*.
3. Meet with OCC engineers to discuss proposed improvement alternatives and develop a thorough understanding of proposed alternatives and the rationale for their selection.
4. Provide written comments on the feasibility of obtaining air emission permits for diesel engines and generators included in each of five alternatives presented in the *Draft Gibraltar Pump Station Rehabilitation Study, Alternatives Analysis Report*. The comments shall be presented in the form of a brief Technical Memorandum.
5. If Subconsultant concludes that one or more alternatives will present insurmountable permitting challenges, the Technical Memorandum shall include an evaluation of permitting issues associated with the replacement of diesel engines and generators with dual fuel natural gas and propane engines.
6. Meet with OCC engineers and City of Milpitas representatives to discuss findings and potential problems.

COST ESTIMATE

Gibraltar Pump Station Rehabilitation Study - Additional Services

	OCC Labor Hours					Total OCC	ODCs	TOTAL
	Karl Lany	Project Mngr	Staff Eng.	CAD	Admin			
	\$132	\$150	\$90	\$90	\$60			
Task 1. Project Management								
Site visit with air emissions sub	8	4				\$1,656	\$415	\$2,071
Final presentation meeting	8	4				\$1,656	\$415	\$2,071
Subtotal Task 1						\$3,312	\$830	\$4,142
Task 2. Reporting								
Review alternatives for air emissions considerations	8	4				\$1,656		\$1,656
Introduce air emissions input	4	4	16			\$2,568		\$2,568
Submit new draft for review of air emissions input			2			\$180		\$180
Introduce City revisions		2	4			\$660		\$660
Subtotal Task 2						\$5,064	\$0	\$5,064
Totals	28	18	22			\$8,376	\$830	\$9,206

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